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FISCAL IMPACT REPORT

SPONSOR Saavedra DATE TYPED 2/8/04 HB 455a/HJC

SHORT TITLE District Attorney & Public Defender Resources SB _____

ANALYST Bransford

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY04	FY05	FY04	FY05		
	1,182.0		Unknown	Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

Relates to HB 176

SOURCES OF INFORMATION

LFC Files

Responses Received From

Administrative Office of the District Attorneys (AODA)
Public Defender Department (PDD)

SUMMARY

Synopsis of HJC Amendment

The House Judiciary Committee amendment clarifies that an appropriations of \$112 thousand is for the Eleventh Judicial District Attorney division II. In addition, the amendment specifies that appropriations to the Public Defender Department in the 11th Div II and 13th judicial districts are for contractual services because the PDD does not have offices in those districts.

It also amends the bill to clarify that appropriations to the district attorneys shall revert, while appropriations to the PDD are non-reverting.

Synopsis of Original Bill

House Bill 455 appropriates \$1.1 million from the general fund to five different judicial district attorneys (\$591 thousand) and the public defender department (\$591 thousand) for the purpose of increasing staff in judicial districts where the courts are requesting additional judgeships.

Significant Issues

The appropriation for the 1st, 2nd, 9th, 11th Div II, and 13th judicial district attorneys and the public defender department is necessary if the Legislature creates additional judgeships in the same judicial districts.

While this bill contains the necessary resources to fully fund all aspects of the criminal justice system, it may be necessary for the district attorneys and the public defender to request the FTE associated with the funding to staff the court rooms.

FISCAL IMPLICATIONS

The appropriation of \$1,182.0 contained in this bill is a recurring expense to the general fund. Any unexpended or unencumbered balance remaining at the end of fiscal year 2005 shall revert to the general fund.

Continuing Appropriations

The bill includes funding for the DAs and the PDD for salaries and benefits, furniture and supplies, a portion of which will be recurring.

ADMINISTRATIVE IMPLICATIONS

As the judiciary requests additional judgeships, it is imperative that those requests consider funding for the entire criminal justice system. Failure to fund all programs associated with the justice system creates a ripple effect of unmanageable caseloads in both the defense and prosecution of defendants.

RELATIONSHIP

This bill relates to HB 176 which creates judgeships in the 1st, 2nd, 9th, 11th Div I, and 13th judicial districts.

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